

REMARKS

The Examiner suggests that the *Thompson* reference teaches a transparent disk drive cover. *Thompson's* "Brief Description of the Drawings" is cited as mentioning a transparent top cover, Col. 2, lines 57 and 61. However, Applicant will show that *Thompson* does not actually have a transparent cover, does not teach a need for a transparent cover, and demonstrates no motivation whatsoever to have a transparent cover. Rather, *Thompson's* sole purpose for rendering its illustrations as such is to avoid obscuring the most important component of its invention.

*Thompson* discloses an airflow shroud for a disk drive. The shroud is connected to the bottom of the cover of the drive rather than to the base plate. Col. 2, lines 15-16. The shroud's purpose is singular: to surround a portion of the disk to reduce turbulence. Col. 2, lines 18-22. The key to *Thompson* is to put the shroud on the cover instead of the base so there is room to install the disks. Col. 1, line 63, through col. 2, line 9. Based on this simple objective, there is absolutely no motivation whatsoever to have a transparent cover. Why would one skilled in the art suddenly decide to make *any part* of a disk drive transparent when all that is desired is to control airflow? Why not make *other parts* transparent as well? Why was *only the cover* made transparent? Furthermore, if transparency is important, why is it *only* mentioned strangely in the "Brief Description of the Drawings," but *not* in the Summary, Abstract, or the Detailed Description?

There is only one reasonable answer to these questions: the cover is not actually transparent at all, but completely conventional and opaque. However, it does make sense to *illustrate* the cover as transparent because something very important to *Thompson* is mounted to the bottom of it: the shroud. The design and location of the shroud must be carefully illustrated because that invention distinguishes itself on those issues. In Figures 1 and 2, the shroud 150 would not be properly described unless it was shown to the reader. Thus, the cover is *drawn* as transparent so

the reader can see the shroud. The shroud would be hidden from view if the cover was *drawn* as opaque.

Importantly, the cover is *not* referred to as "transparent" in the "Brief Description" of Figures 3, 4, 5, or 6. Col.2, line 64 through col.3, line 7. This is a critical distinction, especially for the description of Figure 6, since the description for Figure 6 does not reference the previous drawings. Rather, it reads "another disc drive assembly including a top cover incorporating a shroud feature." Col. 3, lines 6-7. Why doesn't *Thompson* say the cover is transparent when it describes Figure 6? Clearly, shroud 250 would not be visible through cover 205, as shown in Figure 6. Moreover, the words "transparent" and "translucent" do not appear anywhere else in *Thompson*, nor is any other language used to describe the cover. The cover is not further described in the patent because it is not important to *Thompson*—only the shroud is! These numerous omissions from the specification and the claims are abundant proof that the cover is not actually transparent.

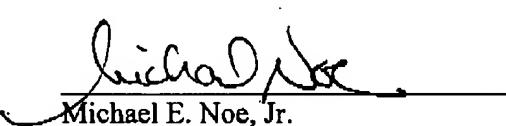
Since *Thompson* fails to support the proposition that the cover is actually transparent, Applicant's claims readily overcome that reference. In particular, new Claim 21 makes no mention of a cover and contains many elements not even contemplated by the cited references. Independent Claims 1 and 13 state that the cover is "at least partially transparent for allowing observation of at least some movement inside the housing through the cover during operation of the disk drive." Dependent Claims 4 and 15 require the cover to be tinted with a color, while Claim 5 states that the cover is translucent. There is no teaching or suggestion in *Thompson* to render these claims obvious. Claims 6 and 16 require a portion of the cover to be structurally reinforced with materials that are opaque. The shroud in *Thompson* merely hangs from its cover and cannot be characterized as reinforcing the structure of the cover.

In addition, Claims 9 and 18 require the flashing device to make the disk, the hub, and the actuator appear to move at speeds that are less than their actual speeds. The secondary reference, *Miyashita*, is only directed to detecting disk position, not the other components. It cannot satisfy

the requirements of these claims. Similarly, Claims 10 and 19 add "decorations on at least one of the disk, the hub, and the actuator, wherein the decorations cause appearance of color, and change and movement of color depending on an angle of observation to additionally contribute to an appearance of the hard disk drive." Again, *Miyashita*, provides no teaching or suggestion to go beyond the disk. Furthermore, Claims 11 and 20 add a pattern on at least one of the disk, the hub, the actuator, and the cover to additionally contribute to an appearance of the hard disk drive. *Miyashita* does not mention anything about adding features to the basic components of its drive.

It is respectfully submitted that the claims are in condition for allowance and favorable action is requested. No fee for an extension of time or other fees are believed to be required. However, in the event that one or more fees are required, please charge them to **Hitachi Global Storage Technologies' Deposit Account Number 50-2587**.

Respectfully submitted,



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